

**From:** Pierre F. Fogal  
**To:** Microsoft ATR  
**Date:** 12/27/01 7:10pm  
**Subject:** Comments of US v. Microsoft

To Whom it may Concern,

I am a scientist, and while not a computer professional per se, I have programmed everything from microprocessors to supercomputers. Thus far, I have always felt that I have had the ability to choose how I will approach the programming task at hand. However, it is clear that the choice has been dwindling in direct proportion to the rise of the Microsoft (MS) empire. Now, don't get me wrong, I have used many MS products over the past 2+ decades, and early on was quite happy with the results. Why and when did that change? Well, to begin with, it changed with the MS mentality that MS should provide the software solution en toto, usually in monolithic applications that lead to the term "bloatware". As the complexity of these applications increased, there has been a concomitant decrease in robustness. So, we arrived at a point where we had the opportunity to do many things (a large percentage of which any one user won't do), but in reality not the ability. Also, as MS further developed their technology, they often managed to break mine. Computers that were perfectly capable in January, became nearly obsolete in June. Why? They didn't have the capacity to run the latest versions. So ... don't, we say. However, others did, and eventually, the hardware really did need replacement. Now there exists a hodge podge of things that almost work. Is this a situation restricted to MS products? No, but it occurs on a far shorter time scale when MS products are concerned. I raise these points at various times with various people and a typical response is "Well, what OTHER CHOICE is there?" And that's what it's all about. Choice. The ability to choose not to upgrade. The ability to choose the functionality we want. The ability to choose the software that will deliver that functionality. The ability to choose INTEROPERABILITY BEYOND and OUTSIDE the MS family of products.

To this end, I propose that MS be required to deliver something like the following ....

- 1) That they be required to support their own earlier file formats as completely as possible. This would ease the requirement for rapid upgrades on the part of users.
- 2) That they correctly export documents into other formats, so long as those other formats are capable. This allows us more freedom to choose software.
- 3) That if Microsoft writes files in a format that is a "standard" and/or largely in the public domain such as html, xml, postscript, pdf,

that they be barred from "enhancing" those formats and that any functionality they wish to add be submitted to what ever de facto administrative body oversees the various formats, for inclusion. In the past their enhancements have broken other software, limiting our choices.

4) As for 3, but dealing with communications protocols including but not limited to hardware, software, and the internet.

5) That they make public in a complete manner, the complete specifications for operating system API's, where those APIs will allow a 3rd party to provide software capability on par with MS products. This goes directly to the issue of choice.

6) That .Net not be permitted to evolve into something that can only be effectively used via MS products. Should it do so, the potential for misuse and abuse is staggering!

7) On a different note, MS should be mandated to keep out of the information gathering and management business. It is utterly frightening that the people who write the software that run our computers on one hand, are potentially also the people gathering information for the use, or by the request of, entities such as insurance companies, financial institutions, potential employers, marketers, special interests, and so on ....

8) MS has also taken to releasing public statements regarding how open source software is not trustworthy, going so far as to say that the open source model is Un-American. These diatribes are rarely factual and MS should be restricted in much the same manner IBM was restricted in the 1980's and 90's from making pronouncements regarding software. It is wrong for them to use their pre-eminent position to distribute fear, uncertainty and doubt (FUD) regarding potential competing products.

To summarize, MS limits our ability to choose how we want to work today. Please ensure that they are limited in their ability to do so.

Thank-you for your time,

Pierre Fogal, Ph.D.

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